

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JAMES C. PATTERSON,

Petitioner,

V.

STATE OF GEORGIA,

Respondent.

NO. 5:22-cv-00435-MTT-CHW

ORDER

Petitioner James C. Patterson, a prisoner in Wilcox State Prison in Abbeville, Georgia, has filed a handwritten document that has been construed as a petition for a writ of habeas corpus. Pet. for Writ of Habeas Corpus, ECF No. 1. He did not, however, use the required habeas corpus form. Therefore, if he wants to proceed with this action, Petitioner is **ORDERED** to complete a 28 U.S.C. § 2254 habeas corpus form.

Additionally, Petitioner has not paid the \$5.00 filing fee for a habeas petition or filed a motion to proceed without prepayment of filing fee. A prisoner seeking to proceed *in forma pauperis* must submit (1) an affidavit in support of his claim of indigence, and (2) “a certified copy of [his] trust fund account statement (or institutional equivalent) . . . for the 6-month period immediately preceding the filing of the complaint.” 28 U.S.C. § 1915(a)(1)-(2). Without this documentation, the Court does not have sufficient information to resolve Petitioner’s motion to proceed *in forma pauperis*. *See id.* Thus, if he wishes to proceed in this action, Petitioner is also **ORDERED** to either pay the \$5.00 filing fee or file a properly supported motion for leave to proceed *in forma pauperis*.

In light of the above, the Clerk of Court is **DIRECTED** to forward a copy of this order, a 28 U.S.C. § 2254 form, and an application to proceed without prepayment of the filing fee, along with the proper account certification form (with the civil action number shown on all) to Petitioner. Petitioner shall have **FOURTEEN (14) DAYS** to comply with this order. Petitioner's failure to fully and timely comply may result in the dismissal of this action.

There shall be no service in this case pending further order of the Court.

SO ORDERED and DIRECTED, this 6th day of January, 2023.

s/ Charles H. Weigle
Charles H. Weigle
United States Magistrate Judge